

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

MAY 29 2008
SOUTHERN DISTRICT OF GEORGIA
CLERK'S OFFICE

United States of America

v.

Maurice A. Kirkland

Date of Previous Judgment: December 12, 2000

(Use Date of Last Amended Judgment if Applicable)

)

)

Case No: CR498-00141-007

USM No: 48574-019

John A. Foster

Defendant's Attorney

2008 MAY 29 AM 10:17
*Z/H***Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33

Amended Offense Level: 31

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 168 to 210 months

Amended Guideline Range: 135 to 168 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain): _____

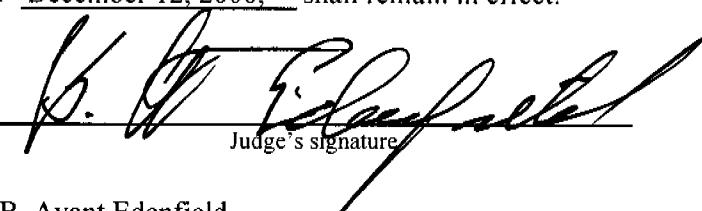
III. ADDITIONAL COMMENTS

A sentence of 168 months, the top end of the amended advisory guideline range, is the appropriate sentence in this case. The Court notes that the defendant has a disciplinary record since his imprisonment which includes a charge of escaping on May 16, 2004.

Except as provided above, all provisions of the judgment dated December 12, 2000, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 29, 2008



Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia

Effective Date: _____
(if different from order date)

Printed name and title